

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*
State Engineer

Plaintiff,

v.

ROMAN ARAGON, *et al.*,

Defendants.

69cv07941-MV/KK

RIO CHAMA STREAM SYSTEM

Section 1: Rio del Oso &
Rio Vallecito

Subfile No. CHRO-001-0005A

APPLICATION FOR ENTRY OF DEFAULT
IN SUBFILE NO. CHRO-001-0005A

COMES NOW the plaintiff State of New Mexico, *ex rel.* State Engineer, (“State”) and requests the Clerk of Court, pursuant to Fed.R.Civ.P. 55(a), to enter the default of the following named defendants for failure to answer or otherwise plead:

Defendants

ELOY TRUJILLO
FRANCES TRUJILLO

Subfile No.

CHRO-001-0005A

Pursuant to the procedural order that guides this adjudication (Doc. 11119, filed 06/28/16), Defendants Eloy Trujillo and Frances Trujillo were joined by publication of the notice of pendency of suit in the *Rio Grande Sun* published once a week for three consecutive weeks, beginning on August 11, 2016, and ending on August 25, 2016 (*see* Docs. 11156 and 11156-1, filed 09/27/16). Additionally, the State has met with Eloy Trujillo and Frances Trujillo to discuss their water rights under this subfile number.

The undersigned certifies that no answer, appearance, or other pleading has been served

upon the plaintiff's attorneys.

WHEREFORE the State requests that the Clerk of Court enter a Certificate of Default of the above-named defendants and, pursuant to this Court's February 4, 2013 *Order* (Doc. 10891), mail a copy of the Certificate of Default to Defendants Eloy Trujillo and Frances Trujillo at the following address:

Eloy and Frances Trujillo
Rural Route 4, Box 220
Ohkay Owingeh, NM 87566

Respectfully Submitted,

/s/ Felicity Strachan
Felicity Strachan
Special Assistant Attorney General
P.O. Box 25102
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felicity.strachan@state.nm.us

Certificate of Service

I certify that on October 2, 2019 I filed the foregoing electronically through the CM/ECF system which caused the parties on the electronic service list, as more fully set forth in the Notice of Electronic Filing, to be served via electronic mail.

Additionally, I have caused to be mailed a copy of this application to Defendants Eloy Trujillo and Frances Trujillo at the following address:

Eloy and Frances Trujillo
Rural Route 4, Box 220
Ohkay Owingeh, NM 87566

/s/ Felicity Strachan
Felicity Strachan